

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16-cv-00561-FDW

EDWARD EARL BROWN, JR.,                     )  
   )  
                                  Plaintiff,                     )  
   )  
                                  v.                                 )  
   )  
A. PHILLIPS; FNU LAMBURT;                     )  
FNU BAKER; FNU RORIE;                     )  
FNU MARTIN,                                     )  
   )  
                                  Defendants.                     )  
\_\_\_\_\_

**ORDER**

**THIS MATTER** is before the Court on consideration of Plaintiff's pro se complaint which is filed pursuant to 42 U.S.C. § 1983, and was transferred from the Middle District.

Plaintiff is a prisoner of the State of North Carolina who alleges he was incarcerated in the Lanesboro Correctional Institution on July 5, 2013, when he was assaulted by two of the defendants, and that other defendants participated in mistreating him either by placing him in full restraints or neglecting to treat his injuries arising from the assault. In his complaint, Plaintiff contends he filed a grievance in conformity with the prison's administrative procedure in 2013, but the decision was delayed because the administration lost his paperwork. Ultimately, Plaintiff states he received the "documents of proof" and mailed them to the Clerk's Office on April 28, 2016.

On December 1, 2016, Plaintiff filed his written grievance regarding this incident and the responses from prison officials and the Court is currently conducting a review of the allegations in the complaint; therefore the motions to appointment counsel will be denied without prejudice.

(Doc. No. 18). 28 U.S.C. § 1915A.

**IT IS, THEREFORE, ORDERED** that Plaintiff's motions for appointment of counsel are **DENIED WITHOUT PREJUDICE**. (Doc. No. 3, 8, and 14).

**SO ORDERED.**

Signed: December 5, 2016

A handwritten signature in black ink, reading "Frank D. Whitney", is written over a horizontal line.

Frank D. Whitney  
Chief United States District Judge

